

REMARKS

Claims 1, 3 – 18, 22 – 26, and 28 – 30 have been examined and stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Pat. No. 7,130,817 (“Karas”). The rejections are respectfully traversed.

In articulating the basis for rejection, the Office Action cites certain portions of Karas that include reference to a “promotion handler” that is described as effecting a conversion between non-legal-tender forms of value and other value (Karas, Col. 4, ll. 19 – 32). Although the Office Action does not call out this handler specifically, it presumably forms the basis for the assertion in the Office Action that certain limitations related to value conversions are disclosed in Karas.

But this disclosure of Karas is not prior art to the Application. “The 35 U.S.C. 102(e) date of a reference ... is its earliest effective U.S. filing date, taking into consideration any proper benefit claims to prior U.S. applications under 35 U.S.C. 119(e) or 120 if the prior application(s) properly supports the subject matter used to make the rejection.” MPEP 706.02(f)(1), emphasis added. In this instance, Karas has a filing date (December 5, 2002) that is *after* the filing date of the Application (September 18, 2001). Karas claims the benefit of certain earlier filing dates: (1) U.S. Pat. Appl. No. 10/010,068, which also has a later filing date than the Application (December 6, 2001); (2) U.S. Pat. Appl. No. 09/737,912, which has an earlier filing date than the Application (December 15, 2000); and (3) U.S. Prov. Pat. Appl. No. 60/256,127, which also has an earlier filing date than the Application.

The relevant disclosure of Karas is thus only prior art to the Application if it is supported by disclosure in either U.S. Pat. Appl. No. 09/737,912 or in U.S. Prov. Pat. Appl. No. 60/256,127. Applicants have obtained copies of these applications from the U.S. Patent and Trademark Office PAIR system, and attach copies as Exhibits A and B. An examination of these earlier applications shows that there is no reference to any “promotion handler” nor to any value conversion of the type recited in the claims.

Since that portion of the disclosure of Karas is not entitled to an effective date that predates the filing date of the application, it is not prior art to the claims and Karas accordingly does not anticipate the claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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